



September 10, 2002

Ms. Gwen Massenburg
U.S. EPA, Region V
77 West Jackson St.
Chicago, IL 60604

Dear Ms. Massenburg:

Re: Draft Proposed Plan, Himco Dump
Superfund Site, Elkhart, IN

Staff of the Indiana Department of Environmental Management (IDEM) have reviewed the above referenced document. IDEM staff generally agree with most of the remedial actions described in this document, however, we have the following comments regarding specific components of the proposed remedy:

General Comments

- The document does not discuss if the preferred remedy was evaluated against the Nine Criteria for remedy selection as outlined in the National Contingency Plan (NCP).
- Not enough information has been presented to determine if the soil cover will comply with any Applicable or Relevant and Appropriate Requirements (ARARs) listed in the 1993 Record of Decision (ROD). For example, the ROD lists 40 CFR 264.310, which is a Resource Conservation and Recovery Act (RCRA) regulation that requires installation of a final cover to provide long-term minimization of infiltration. It may be possible to obtain an ARAR waiver for these requirements, but the U.S. EPA has not stated this as their intention.

Contingency Remedy

- The U.S. EPA states that it wishes to establish a contingency remedy for further groundwater containment and remediation. However, the document does not include any details regarding the contingency remedy. It may be possible to include a provision that states the Responsible Parties (RP) must submit a contingency remedy within a specified time frame after the ROD Amendment is finalized. In addition, there is no discussion of the impact of potential redevelopment on any contingency remedy.

Modified Soil Cover

cc: Rex Osborn, IDEM